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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,593	03/09/2000	James R. Lewis	6169-115	2111

40987 7590 02/25/2005

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 02/25/2005

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/521,593

Applicant(s)

LEWIS

Examiner

Angela A. Armstrong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 1-20 is withdrawn in view of the newly discovered reference(s) to Karaorman et al (US Patent No. 6,631,346). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverman (US Patent No. 5,652,828) in view of Karaorman et al (US Patent No. 6,631,346).

Regarding claim 1, Silverman teaches retrieving tokens in a text to speech system, said tokens comprising words, phrase markers, punctuation marks and meta-tags (col. 13, line 58 to col. 14, line 23; col. 16, lines 17-24; col. 35, lines 11-42); identifying phrase markers among retrieved tokens (col. 13, line 58 to col. 14, line 23; col. 16, lines 17-24; col. 35, lines 11-42); identifying words among retrieved tokens (col. 11, line 10 to col. 18, line 31); text-to-speech playback of identified words (col. 13, line 58 to col. 14, line 23); pausing text-to-speech playback in response to identified phrase markers (synthesize 30).

Silverman does not teach speech recognition markers. Karaorman teaches a method and apparatus for natural language parsing using multiple tags, in which input speech is recognized,

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tagged, parsed and output (col. 3, line 1 to col. 4, line 17). Karaorman teaches the system is useful in

It would have been obvious to modify the system of Silverman to provide for speech recognition markers, as taught by Karaorman, for the purpose of improving the dialog between a user and a speech enable application.

Regarding claims 2 and 8, Silverman teaches identifying and pausing based on punctuation marks at col. 16, lines 17-24.

Regarding claim 3, Silverman teaches identifying and pausing based on meta-tags at col. 13, line 58 to col. 14, line 23; col. 16, lines 17-24; col. 35, lines 11-42.

Regarding claim 4, Silverman teaches text-to-speech playback tokens using TTS production rules (col. 13, line 58 to col. 14, line 23; col. 16, lines 17-24; col. 35, lines 11-42).

Regarding claims 5-7 and 10, Silverman teaches adjusted and user determined TTS playback at col. 18, line 36 to col. 19, line 6 and co. 27, line 40 to col. 30, line 11.

Regarding claim 9, Silverman teaches sentence internal markers and sentence final markers at col. 36, lines 13-28.

Regarding claims 11-20, claims 11-20 are similar in scope and content to claims 1-10 and are therefore rejected under similar rationale.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A. Armstrong
Examiner
Art Unit 2654

AAA
February 17, 2005

Angela Armstrong